

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RIDGE CLEARING & OUTSOURCING SOLUTIONS, INC.	:	07 Civ. 6611 (RJH)
	:	
Plaintiff,	:	<b>ECF CASE</b>
	:	
-against-	:	<b><u>AFFIDAVIT FOR</u></b>
	:	<b><u>JUDGMENT BY DEFAULT</u></b>
	:	
ADNAN KHASHOGGI,	:	
	:	
Defendant.	:	
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STATE OF NEW YORK            )  
                                          ) ss.:  
COUNTY OF NEW YORK        )

GAIL R. ZWEIG, being duly sworn, deposes and says:

1. I am Counsel to Levi Lubarsky & Feigenbaum LLP, attorneys for plaintiff Ridge Clearing & Outsourcing Solutions, Inc. ("plaintiff"). I submit this affidavit in support of plaintiff's Motion for Entry of a Default Judgment against defendant Adnan Khashoggi ("defendant"), pursuant to Rule 55 of the Federal Rules of Civil Procedure and Rules 55.1 and 55.2 of the Local Civil Rules of this Court.

2. This is an action to recover monies owed by defendant to plaintiff as a result of defendant's breach of a margin agreement that defendant's alter-ego, Ultimate Holdings, Ltd., entered into with plaintiff in August 2001.

3. Jurisdiction of the subject matter of this action is pursuant to 28 U.S.C. § 1332 in that the parties are of diverse citizenship.

4. This action was commenced by the filing of a summons and complaint on

July 23, 2007. A copy of the summons and complaint are annexed hereto as Exhibit A. As described more fully in the Declaration of French counsel for plaintiff and in the Affidavit of Service of the French process server, which are collectively annexed hereto as Exhibit B, a copy of the summons and complaint in this action were served upon defendant on September 5, 2007 at defendant's residence in Cannes, France in accordance with the laws of France, as provided in the F. R. Civ. P. 4(f)(2) and the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents. Proof of service was filed with the Court.

5. On September 6, 2007, plaintiff filed a summons and amended complaint. A copy of the summons and amended complaint are annexed hereto as Exhibit C. As described more fully in the Declaration of French counsel for plaintiff and in the Affidavit of Service of the French process server, which are collectively annexed hereto as Exhibit D, a copy of the summons and amended complaint in this action were served upon defendant on September 13, 2007 at defendant's residence in Cannes, France in accordance with the laws of France, as provided in the F. R. Civ. P. 4(f)(2) and the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents. Proof of service was filed with the Court.

6. To date, defendant Khashoggi has not answered or otherwise responded to the summons and complaint or to the summons and amended complaint, and his time to do so has expired.

7. On November 15, 2007, the Clerk of the Court signed and stamped a Certificate of Default certifying that the docket entries indicate that defendant was served with the complaint and amended complaint, and that defendant has not filed an answer or otherwise moved with respect to the complaint or the amended complaint. A copy of the Clerk's

Certificate of Default is annexed hereto as Exhibit E.

8. This action seeks judgment in the amount of \$20,894,245.22, plus costs and disbursements in the amount of \$350, for a total of \$20,894,595.22, as of November 27, 2007, which is justly due and owing, and no part of which has been paid. Annexed hereto as Exhibit F is a Statement of the Damages sought by plaintiff.

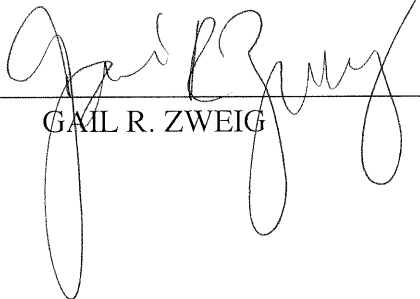
9. Defendant is not a minor, mentally incompetent, or in the military service of the United States. See Exhibit G.

10. Defendant is now in default.

11. A proposed form of Default Judgment is annexed hereto as Exhibit H.

12. Plaintiff is providing notice to defendant of Plaintiff's Motion for Entry of Default Judgment by sending to defendant at his residence in Cannes, France, a copy of the plaintiff's Notice of Motion for Judgment By Default and this Affidavit and this supporting Affidavit of Gail R. Zweig in support of plaintiff's Motion for Judgment By Default (including all attachments thereto), via International Federal Express. The copy of the foregoing papers is being sent via International Federal Express today, November 28, 2007

WHEREFORE, plaintiff respectfully requests that a default judgment be entered against defendant Khashoggi.

  
\_\_\_\_\_  
GAIL R. ZWEIG

Sworn to before me this  
28<sup>th</sup> day of November, 2007

  
\_\_\_\_\_  
Notary Public

**STEPHANIE A. DARIGAN**  
**Notary Public - State of New York**  
**No. 02DA6140486**  
**Qualified in New York County**  
**My Commission Expires 01/30/2016**